



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: Joseph Tesler

Patent Application

Serial No.: 09/829,619

Art Unit: 2854

Examiner: Daniel James Colilla

Filing Date: 4-10-2001

For: Jewish Religious Scrolls

Attorney Docket No.: 1481.007

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Commissioner for Patents
P.O. Box 1450
Arlington, Virginia 22313-1450

#10/Petition to
Accept
Delayed
Priority Claim
6-4-03
L. Spruell

Petition to Accept Unintentionally Delayed Priority Claim

Applicant hereby petitions to accept an unintentionally delayed claim for the benefit of a prior-filed application under 35 U.S.C. §120, 37 C.F.R. §1.78(a)(3), and M.P.E.P. §201.11.

Pursuant to 37 C.F.R. §1.78(a)(3), such a petition requires: (i) the reference required by 35 U.S.C. §120 and paragraph (a)(2) of this section to the prior filed application; (ii) the surcharge set forth in §§ 1.17(e); and (iii) A statement that the entire delay between the date the claim was due under paragraph (a)(2)(ii) of this section and the date the claim was filed was unintentional.

With respect to the required reference under (i), it is provided as follows:

—The present application is a continuation of U.S. Nonprovisional Application Serial No. 09/792,474 filed February 23, 2001 and claims the priority of U.S. Provisional Application Serial No. 60/184,258 filed February 23, 2000. The priority of both applications is claimed, and both applications are fully incorporated herein by reference.—

06/05/2003 LSPRUELL 00000005 501604 09829619
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Adjustment date: 08/13/2003 AKELLEY
06/05/2003 LSPRUELL 00000005 501604 09829619
01 FC:1460 130.00 CR
08/13/2003 AKELLEY 00000004 501604 09829619
01 FC:1454 1300.00 DA

The incorporation by reference listed above is believed to be proper since the prior applications were incorporated by reference at the time that the present application was filed. The first line of the application is also being corrected via an amendment which is being submitted concurrently with the present petition.

With respect to the surcharge set forth under §1.17(t), authorization is hereby provided to charge all amounts due to Deposit Account 50-1604.

In addition, the entire delay between the date the claim was due under paragraph (a)(2)(ii) of this section and the date the claim was filed was unintentional. Counsel had intended to claim the priority of the parent application, and the first line of this application had, in fact, included an express reference claiming the priority of the earlier non-provisional application when the present application was filed, but that reference did not expressly indicate that this application is a continuation application. As it has come to counsel's attention that this reference is not sufficient, the present petition is being submitted.

Counsel thanks the Patent Office in advance for their consideration of this petition.

Dated: May 29, 2003

Respectfully submitted,



Morris E. Cohen (Reg. No. 39,947)
1122 Coney Island Avenue, Suite 217
Brooklyn, New York 11230
(718) 859-8009 (telephone)
(718) 859-3044 (facsimile)